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*Attorneys for Ralph C. Dawson, as Receiver for  
Defendant Ascot Partners, L.P., and Ascot Fund  
Ltd.*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: X Adv. Proc. No. 08-01789 (SMB)

BERNARD L. MADOFF INVESTMENT	:	SIPA LIQUIDATION
SECURITIES LLC,	:	
	.	(Substantively Consolidated)

Debtor.

PERTAINS TO THE FOLLOWING CASE:

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC.

Plaintiff,

-V-

Adv. Proc. No. 09-1182 (SMB)

J. EZRA MERKIN, GABRIEL CAPITAL,  
L.P., ARIEL FUND LTD., ASCOT  
PARTNERS, L.P., ASCOT FUND LTD.,  
GABRIEL CAPITAL CORPORATION,

Defendants.

**NOTICE OF MOTION *IN LIMINE* TO EXCLUDE  
THE EXPERT TESTIMONY OF AMY B. HIRSCH**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion *in Limine* to Exclude the Expert Testimony of Amy B. Hirsch, the Declaration of Judith A. Archer, dated April 7, 2017, and the exhibits thereto, and all pleadings, papers and proceedings filed in this action, Defendants Ascot Partners, L.P., through its Receiver, Ralph C. Dawson, Ascot Fund Ltd., J. Ezra Merkin and Gabriel Capital Corporation, shall move this Court for an Order excluding the expert testimony of Amy B. Hirsch pursuant to Federal Rules of Evidence 402, 403 and 702, made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 9017.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at a date and time as scheduled by the Court, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, to the Motion shall be filed with the Bankruptcy Court no later than May 10, 2017, and reply papers, if any, shall be filed with the Bankruptcy Court no later than June 6, 2017.

Dated: April 7, 2017  
New York, New York

NORTON ROSE FULBRIGHT US LLP

By: /s/ Judith A. Archer

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